

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

HOUSE BILL 20

54TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2020

INTRODUCED BY

Dayan Hochman-Vigil

AN ACT

RELATING TO COURTS; PROVIDING THAT ON-RECORD PROCEEDINGS IN METROPOLITAN COURTS THAT MAY BE APPEALED DIRECTLY TO THE COURT OF APPEALS INCLUDE ACTIONS BROUGHT PURSUANT TO THE UNIFORM OWNER-RESIDENT RELATIONS ACT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 34-8A-6 NMSA 1978 (being Laws 1979, Chapter 346, Section 6, as amended) is amended to read:

"34-8A-6. METROPOLITAN COURT--RULES--APPEAL.--

A. The supreme court shall adopt separate rules of procedure for the metropolitan courts. The rules shall provide simple procedures for the just, speedy and inexpensive determination of any metropolitan court action.

B. ~~[Other than for actions brought pursuant to the Uniform Owner-Resident Relations Act]~~ The metropolitan court is

underscoring material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 a court of record for civil actions. Any party aggrieved by a
2 judgment rendered by the metropolitan court in a civil action
3 may appeal to the court of appeals. The manner and method for
4 the appeal shall be set forth by supreme court rule.

5 ~~[G. The metropolitan court is not a court of record~~
6 ~~for civil actions brought pursuant to the Uniform Owner-~~
7 ~~Resident Relations Act. Any party aggrieved by a judgment~~
8 ~~rendered by the metropolitan court in a civil action brought~~
9 ~~pursuant to the Uniform Owner-Resident Relations Act may appeal~~
10 ~~to the district court of the county in which the metropolitan~~
11 ~~court is located within fifteen days after the judgment was~~
12 ~~rendered. The appeal shall be de novo.~~

13 ~~D.]~~ C. The metropolitan court is a court of record
14 for criminal actions involving driving while under the
15 influence of intoxicating liquor or drugs or involving domestic
16 violence. A criminal action involving domestic violence means
17 an assault or battery under any state law or municipal or
18 county ordinance in which the alleged victim is a household
19 member as defined in the Family Violence Protection Act. Any
20 party aggrieved by a judgment rendered by the metropolitan
21 court in a criminal action involving driving while under the
22 influence of intoxicating liquor or drugs or involving domestic
23 violence may appeal to the court of appeals. The manner and
24 method of appeal shall be set forth by supreme court rule.

25 ~~[E.]~~ D. The metropolitan court is not a court of

underscoring material = new
~~[bracketed material]~~ = delete

1 record for criminal actions other than driving while under the
2 influence of intoxicating liquor or drugs or domestic violence
3 actions. Any party aggrieved by a judgment rendered by the
4 metropolitan court in a criminal action, other than driving
5 while under the influence of intoxicating liquor or drugs or
6 domestic violence action, may appeal to the district court of
7 the county in which the metropolitan court is located within
8 fifteen days after the judgment was rendered. The appeal shall
9 be de novo.

10 ~~[F.]~~ E. All judgments rendered in civil actions in
11 the metropolitan court shall be subject to the same provisions
12 of law as those rendered in district court."

13
14
15
16
17
18
19
20
21
22
23
24
25